

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

Andre Laws,)	C/A No.: 1:13-1309-RBH
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Carolyn W. Colvin, Acting Commissioner)	
of Social Security,)	
)	
Defendant.)	
_____)	

On October 7, 2014, the plaintiff filed a motion for attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"), 42 U.S.C. § 2412, on the basis that the position taken by the defendant in this action was not substantially justified. Defendant filed a response on October 22, 2014, in which she indicates that the parties have agreed, through counsel, to an EAJA award of \$5,084.63 in attorney's fees and \$16.00 in expenses. Defendant additionally agrees that Plaintiff is entitled to a payment of \$7.00 in costs from the Judgment Fund of the United States Department of the Treasury. The Commissioner further indicates, in reference to the claimant's signed assignment of EAJA fees to his attorney, that fees awarded should be paid to the prevailing party and not the attorney and would be subject to the Treasury Offset Program if the prevailing party owes a debt to the government.

Based on the foregoing and after considering the briefs and materials submitted by the parties, the court orders the defendant to pay the sum of \$5,084.63 in attorney's fees and \$16.00 in expenses pursuant to EAJA. However, the payment shall be made payable to the claimant pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010) and mailed to her attorney, with a copy to the claimant. Plaintiff shall also be paid \$7.00 in costs from the Judgment Fund of the United States Department of the Treasury.

IT IS SO ORDERED.

s/ R. Bryan Harwell

R. Bryan Harwell

United States District Judge

October 27, 2014

Florence, South Carolina